

PATENT
Docket No. 252312007400

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Dated: September 7, 2004

Signature: _____

(Tamara Alcaraz)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Matthew D. LINNIK et al.

Serial No.: 09/724,822

Filing Date: November 28, 2000

For: METHODS OF TREATING LUPUS
BASED ON ANTIBODY AFFINITY
AND SCREENING METHODS AND
COMPOSITIONS FOR USE THEREOF

Examiner: C. Qian

Group Art Unit: 1636

09/10/2004 LWONDIM1 00000018 09724822

01 FC:2251 55.00 DA
02 FC:1806 180.00 DA

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

09/10/2004 LWONDIM1 00000016 031952 09724822

02 FC:1806 180.00 DA

Void date: 09/10/2004 LWONDIM1
09/10/2004 LWONDIM1 00000016 031952 09724822
02 FC:1806 pa-180.00 CR

This Supplemental Information Disclosure Statement is submitted:

- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.


In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **252312007400**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 7, 2004

Respectfully submitted,

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| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary) | Docket Number 252312007400 | Application Number 09/724,822 |
| | Applicant Matthew D. LINNIK et al. | |
| | Filing Date November 28, 2000 | Group Art Unit 1636 Examiner: C. Qian |
| | Mailing Date September 7, 2004 | |

U.S. PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----------|------------|--------------|---------------|-------|----------|----------------------------|
| | 1. | 12/29/2003 | 10/748,541 | Strand et al. | | | |
| | 2. | 03/30/2004 | 10/814,555 | Linnik et al. | | | |
| | 3. | 06/03/2003 | 6,572,856 | Taylor et al. | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Country | Class | Subclass | Translation YES NO |
|-------------------|----------|------------|----------------|---------|-------|----------|--------------------|
| | 4. | 11/27/1996 | EP 0 743 856 | Europe | | | |
| | 5. | 04/16/1992 | WO 92/05801 | WIPO | | | |
| | 6. | 08/31/1995 | WO 95/22977 | WIPO | | | |
| | 7. | 03/23/2000 | WO 00/15259 | WIPO | | | |
| | 8. | 07/22/2004 | WO 2004/060320 | WIPO | | | |

OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.)

| Examiner Initials | Ref. No. | |
|-------------------|----------|--|
| | 9. | Ferguson, P. J. et al. (1995). "Antigen-Based Heteropolymers Facilitate, Via Primate Erythrocyte Complement Receptor Type 1, Rapid Erythrocyte Binding of an Autoantibody and Its Clearance From The Circulation in Rhesus Monkeys," <i>The Journal of Immunology</i> 155:339-347. |
| | 10. | Ferguson, P. J. et al. (1994). "Antigen-Based Heteropolymers (AHP): A Potential Therapeutic to Bind and Clear Autoantibodies Via Erythrocyte (E) CR1," <i>Arthritis & Rheumatism</i> 37(9 Suppl.) page S406, Abstract No. 1467. |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

pa- 917023

PTO/SB/ 08 (2-92)

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